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Attorneys for Defendants  
Pension Consulting Alliance, Inc.  
and Michael J. Moy

**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION -  
ROYBAL FEDERAL BUILDING**

CESAR BAEZ, an individual,  
Plaintiff,  
v.  
PENSION CONSULTING AL  
INC., and MICHAEL MOY,  
Defendants

Case No. 2:17-cv-1938  
Hon. R. Gary Klausner

**STIPULATION REGARDING  
BRIEFING SCHEDULE ON  
MOTION FOR SUMMARY  
JUDGMENT OR, IN THE  
ALTERNATIVE, PARTIAL  
SUMMARY JUDGMENT**

The parties hereto, by and through their respective attorneys of record, hereby stipulate as follows:

1. The parties have met and conferred about (a) the substance of the Motion for Summary Judgment or, In The Alternative, Partial Summary Judgment to be filed by defendants Pension Consulting Alliance, Inc. (“PCA”) and Michael Moy (“Moy”) (“the Summary Judgment Motion”); (b) the briefing schedule for

1 the Summary Judgment Motion and (c) the hearing date for the Summary  
2 Judgment Motion. In the meet and confer, the parties discussed the benefits of  
3 implementing effective case management procedures, accommodating the  
4 calendars of counsel, including counsel who do not reside in the Central District,  
5 and recognizing that, by its nature, the Summary Judgment Motion requires that  
6 both sides have more time than is otherwise required under the Court's local rules  
7 to effectively set forth their positions in writing. The parties have also recognized  
8 that, for these reasons, it was in the best interest of plaintiff Cesar Baez ("Baez")  
9 to be provided with the memorandum of points and authorities in support of the  
10 motion prior to the expiration of 10 days after the meet and confer required by the  
11 Local Rules. For these reasons, PCA and Moy (a) provided their memorandum of  
12 points and authorities in support of the Summary Judgment Motion to Baez on  
13 January 26, 2018, in advance of the time that it was due to be filed with the Court;  
14 and (b) thereafter filed the Motion for Summary Judgment and all supporting  
15 papers on January 31, 2018 and noticed it for March 19, 2018, with the  
16 understanding that the parties would notify the Court of certain scheduling  
17 problems in the calendar of Baez' lead counsel.

18       2. PCA and Moy noticed the hearing for March 19, 2018. Thereafter,  
19 the Court advanced the hearing date to March 12, 2018. After receiving the  
20 Court's order advancing the hearing, the parties met and conferred again. After  
21 that meet and confer, the parties have jointly agreed that the following briefing  
22 schedule shall apply;

- 23             (a) Baez shall have to and including February 14, 2018 to file  
24                     his opposition; and  
25             (b) PCA and Moy shall have until February 26, 2018 to file  
26                     their reply.

27 This briefing schedule allows for the briefing to be concluded two weeks before the  
28 rescheduled March 12, 2018 hearing date in accordance with the Local Rules.

1       3. The parties have agreed that they should apprise the Court of the  
2 current scheduling problems faced by out of town counsel which might affect the  
3 hearing date, but do not affect the agreed upon briefing schedule. Lead counsel  
4 for Plaintiff, Jonathan Mazer, is also trial counsel in the matter of Maarten de  
5 Jong v. Wilco Faessen, Index No. 655478/2016 (Sup. Ct. N.Y. Cty.), in which a  
6 jury trial is scheduled to start on March 7, 2018 in New York, and run well into  
7 the following week. Mr. Mazer's son's mother also has a previously-scheduled  
8 trip out of the country during the weeks of March 12, 2018 and March 19, 2018,  
9 returning by March 26, 2018, which requires that he be at home with his son  
10 throughout this entire time. For these reasons, Mr. Mazer, is unable to travel from  
11 New York for a hearing on March 12, March 19, or March 26, but would be  
12 available on March 27, 28, 29 or 30 if the Court were willing to hold an oral  
13 hearing on a weekday other than a Monday. Mr. Mazer is also available on April  
14 2.

15       4. The parties request that if the Court is going to hear oral argument on  
16 the Summary Judgment Motion, it reschedule the hearing date for one of these  
17 dates. The parties would prefer a hearing on March 27, 28, 29, or 30, if the  
18 Court's calendar permits, given the April 24, 2018 trial date.

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1 Dated: February 7, 2018

MEYLAN DAVITT JAIN AREVIAN &  
2 KIM LLP  
and  
3 SCHLAM STONE & DOLAN LLP

4 Dated: February 7, 2018

5 By: /s/ Samuel Butt  
6 SAMUEL BUTT  
7 Attorneys for Plaintiff Cesar Baez

8 Dated: February 7, 2018

9 LAW OFFICES OF RICHARD PACHTER  
10 and  
11 VALLE MAKOFF

12 Pursuant to Local Rule 5-4.3.4(i), the filer hereto attests that all other signatories set  
13 forth below, and on whose behalf this filing is submitted, concur in the filing's  
14 contend and have authorized the filing.